



1313 North Market Street
P.O. Box 951
Wilmington, DE 19899-0951
302 984 6000
www.potteranderson.com

Bindu A. Palapura
Attorney at Law
bpalapura@potteranderson.com
302 984-6092 Direct Phone
302 778-6092 Fax

September 11, 2014

VIA ELECTRONIC FILING

The Honorable Judge Richard G. Andrews
United States District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

Re: *Riverbed Technology, Inc. v. Silver Peak Systems, Inc.*, C.A. No.: 11-484 (RGA)

Dear Judge Andrews:

Pursuant to the Court's September 11, 2013 Order Granting Stay (D.I. 170), the parties jointly submit this status report regarding the *inter partes* re-examinations of U.S. Patent Nos. 7,428,573 and 7,849,134. After the PTO issued the Right of Appeal Notice on August 30, 2011 (D.I. 167), Riverbed filed Notices of Appeal on September 12, 2013. Riverbed filed its Appeal Briefs on November 11, 2013. Silver Peak filed its Respondent Briefs on December 11, 2013 and corrected Respondent Briefs on January 10, 2014.

The *Inter Partes* Reexamination Examiner's Answer was filed on March 24, 2014. Riverbed filed a Rebuttal Brief on April 23, 2014 and a Request for Oral Hearing on April 30, 2014. The PTO issued a communication indicating that the Patent Owner's Rebuttal Brief had been considered and entered and that the instant proceeding has been forwarded to the Patent Trial and Appeal Board. The communication was issued on May 30, 2014 for U.S. Patent No. 7,849,134 and on June 4, 2014 for U.S. Patent No. 7,428,573. The re-examinations are now pending a decision on appeal by the Patent Trial and Appeal Board.

Respectfully,

/s/ Bindu A. Palapura

Bindu A. Palapura

BAP:nmt/1165529/36988

cc: Clerk of the Court (via Hand Delivery)
Counsel of Record (via Electronic Mail)